

## Subpart S—Kentucky

### § 52.920 Identification of plan.

(a) *Purpose and scope.* This section sets forth the applicable State Implementation Plan for Kentucky under section 110 of the Clean Air Act, 42 U.S.C. 7401, and 40 CFR part 51 to meet national ambient air quality standards.

(b) *Incorporation by reference.* (1) Material listed in paragraph (c) of this section with an EPA approval date prior to March 1, 1999, was approved for incorporation by reference by the Director of the FEDERAL REGISTER in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Material is incorporated as it exists on the date of the approval, and notice of any change in the material will be published in the FEDERAL REGISTER. Entries in paragraph (c) of this section with EPA approval dates after

March 1, 1999, will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region 4 certifies that the rules/regulations provided by EPA in the SIP Compilation at the addresses in paragraph (b)(3) are an exact duplicate of the officially promulgated State rules/regulations which have been approved as part of the State Implementation Plan as of March 1, 1999.

(3) Copies of the materials incorporated by reference may be inspected at the Region 4 EPA Office at 61 Forsyth Street, SW., Atlanta, GA 30303; the Office of Federal Register, 800 North Capitol Street, NW., Suite 700, Washington, DC; or at the EPA, Air and Radiation Docket and Information Center, Air Docket (6102), 401 M Street, SW., Washington, DC 20460.

(c) *EPA approved regulations.*

#### EPA-APPROVED KENTUCKY REGULATIONS FOR KENTUCKY

Regulation	Title/subject	State effective date	EPA approval date	Federal Register Notice
<b>Chapter 50 General Administrative Procedures</b>				
401 KAR 50:005 .....	General application .....	06/06/79	07/12/82	47 FR 30059
401 KAR 50:010 .....	Definitions and abbreviations .....	06/06/96	01/21/97	62 FR 2916
401 KAR 50:012 .....	General application .....	11/12/97	07/24/98	63 FR 39739
401 KAR 50:015 .....	Documents incorporated by reference .....	09/26/88	02/07/90	55 FR 4169
401 KAR 50:020 .....	Air quality control regions .....	06/06/79	07/12/82	47 FR 30059
401 KAR 50:025 .....	Classification of counties .....	06/01/83	04/02/96	61 FR 14489
401 KAR 50:030 .....	Registration of sources .....	06/06/79	07/12/82	47 FR 30059
401 KAR 50:035 .....	Permits .....	09/28/94	08/27/95	60 FR 49775
401 KAR 50:040 .....	Air quality models .....	06/06/79	07/12/82	47 FR 30059
401 KAR 50:042 .....	Good engineering practice stack height .....	06/10/86	09/04/87	52 FR 33592
401 KAR 50:045 .....	Performance test .....	06/06/79	07/12/82	47 FR 30059
401 KAR 50:047 .....	Test procedures for capture efficiency .....	06/24/92	06/23/94	59 FR 32343
401 KAR 50:050 .....	Monitoring .....	06/06/79	07/12/82	47 FR 30059
401 KAR 50:055 .....	General compliance requirements .....	08/22/82	05/04/89	54 FR 19169
401 KAR 50:060 .....	Enforcement .....	06/06/79	07/12/82	47 FR 30059
401 KAR 50:065 .....	Conformity of general federal actions .....	09/11/95	07/27/98	63 FR 40044
<b>Chapter 51 New Source Requirements; Non-Attainment Areas</b>				
401 KAR 51:001 .....	Definitions and abbreviations of terms used in title 401, chapter 51.	06/06/96	01/21/97	62 FR 2916
401 KAR 51:005 .....	Purpose and general provision .....	06/06/79	07/12/82	47 FR 30059
401 KAR 51:010 .....	Attainment status designations .....	11/12/97	07/24/98	63 FR 39739
401 KAR 51:017 .....	Prevention of significant deterioration of air quality .....	03/12/97	07/24/98	63 FR 39741
401 KAR 51:052 .....	Review of new sources in or impacting upon nonattainment areas.	02/08/93	06/23/94	59 FR 32343
<b>Chapter 53 Ambient Air Quality</b>				
401 KAR 53:005 .....	General provisions .....	04/14/88	02/07/90	55 FR 4169
401 KAR 53:010 .....	Ambient air quality standard .....	04/14/88	02/07/90	55 FR 4169
<b>Chapter 55 Emergency Episodes</b>				
401 KAR 55:005 .....	Significant harm criteria .....	04/14/88	02/07/90	55 FR 4169
401 KAR 55:010 .....	Episode criteria .....	04/14/88	02/07/90	55 FR 4169
401 KAR 55:015 .....	Episode declaration .....	06/06/79	01/25/80	45 FR 6092
401 KAR 55:020 .....	Abatement strategies .....	06/06/79	01/25/80	45 FR 6092

## EPA-APPROVED KENTUCKY REGULATIONS FOR KENTUCKY—Continued

Regulation	Title/subject	State effective date	EPA approval date	Federal Register Notice
<b>Chapter 59 New Source Standards</b>				
401 KAR 59:001 ....	Definitions & abbreviations used in title 401, chapter 59 .....	06/06/96	01/21/97	62 FR 2916
401 KAR 59:005 ....	General provisions .....	12/01/82	12/04/86	51 FR 43742
401 KAR 59:010 ....	New process operations .....	04/14/88	02/07/90	55 FR 4169
401 KAR 59:015 ....	New indirect heat exchangers .....	01/07/81	03/22/83	48 FR 11945
401 KAR 59:020 ....	New incinerators .....	01/07/81	07/12/82	47 FR 30059
401 KAR 59:046 ....	Selected new petroleum refining processes and equipment .....	06/29/79	07/07/81	46 FR 40188
401 KAR 59:050 ....	New storage vessels for petroleum Liquids .....	02/04/81	03/30/83	48 FR 13168
401 KAR 59:080 ....	New kraft (sulfate) pulp mills .....	06/06/79	01/25/80	45 FR 6092
401 KAR 59:085 ....	New sulfite pulp mills .....	06/06/79	07/12/82	47 FR 30059
401 KAR 59:090 ....	New ethylene producing plants .....	06/06/79	07/12/82	47 FR 30059
401 KAR 59:095 ....	New oil-effluent water separators .....	06/06/79	08/07/81	46 FR 40188
401 KAR 59:101 ....	New bulk gasoline plants .....	09/28/94	06/28/96	61 FR 33674
401 KAR 59:105 ....	New process gas steams .....	04/07/82	03/22/83	48 FR 11945
401 KAR 59:174 ....	Stage II controls at gasoline dispensing facilities .....	01/12/98	12/08/98	63 FR 67586
401 KAR 59:175 ....	New service stations .....	02/08/93	06/23/94	59 FR 32343
401 KAR 59:185 ....	New solvent metal cleaning equipment .....	06/24/92	06/23/94	59 FR 32343
401 KAR 59:190 ....	New insulation of magnet wire operations .....	06/24/92	06/23/94	59 FR 32343
401 KAR 59:210 ....	New fabric, vinyl and paper surface coating operations .....	06/24/92	06/23/94	59 FR 32343
401 KAR 59:212 ....	New graphic arts facilities using rotogravure and flexography ....	06/24/92	06/23/94	59 FR 32343
401 KAR 59:214 ....	New factory surface coating operations of flat wood paneling ....	06/24/92	06/23/94	59 FR 32343
401 KAR 59:225 ....	New miscellaneous metal parts and products surface coating operations.	06/24/92	06/23/94	59 FR 32343
401 KAR 59:230 ....	New synthesized pharmaceutical product manufacturing operations.	06/24/92	06/23/94	59 FR 32343
401 KAR 59:235 ....	New pneumatic rubber tire manufacturing plants .....	02/04/81	03/30/83	48 FR 12168
401 KAR 59:240 ....	New perchloroethylene dry cleaning systems .....	06/24/92	06/23/94	59 FR 32343
401 KAR 59:315 ....	Specific new sources .....	06/24/92	06/23/94	59 FR 32343
<b>Chapter 61 Existing Source Standards</b>				
401 KAR 61:001 ....	Definitions & abbreviations of terms used in 401KAR chapter 61.	06/06/96	06/19/97	62 FR 2916
401 KAR 61:005 ....	General provisions .....	12/01/82	05/04/89	54 FR 19169
401 KAR 61:010 ....	Existing incinerators .....	06/06/79	05/04/89	54 FR 19169
401 KAR 61:015 ....	Existing indirect heat exchangers .....	04/01/84	04/02/96	61 FR 14489
401 KAR 61:020 ....	Existing process operations .....	04/14/88	02/07/90	55 FR 4169
401 KAR 61:025 ....	Existing kraft (sulfate) pulp mills .....	06/06/79	05/26/82	47 FR 22955
401 KAR 61:030 ....	Existing sulfuric acid plants .....	06/06/79	03/22/83	48 FR 11945
401 KAR 61:035 ....	Existing process gas streams .....	04/07/82	03/22/83	48 FR 11945
401 KAR 61:040 ....	Existing ethylene producing plants .....	06/06/79	01/25/80	45 FR 6092
401 KAR 61:045 ....	Existing oil-effluent water separators .....	06/29/79	08/07/81	46 FR 40188
401 KAR 61:050 ....	Existing storage vessels for petroleum liquids .....	06/24/92	06/23/94	59 FR 32343
401 KAR 61:055 ....	Existing loading facilities at bulk gasoline terminals .....	08/24/82	03/30/83	48 FR 13168
401 KAR 61:056 ....	Existing bulk gasoline plants .....	09/28/94	06/28/96	61 FR 33674
401 KAR 61:060 ....	Existing sources using organic solvents .....	06/29/79	01/25/80	45 FR 6092
401 KAR 61:065 ....	Existing nitric acid plants .....	06/06/79	06/12/82	47 FR 30059
401 KAR 61:070 ....	Existing ferroalloy production facilities .....	06/06/79	05/03/84	49 FR 18833
401 KAR 61:075 ....	Steel plants and foundries using existing electric arc furnaces ..	12/01/82	05/04/89	54 FR 19169
401 KAR 61:080 ....	Steel plants and using existing basic oxygen process furnaces ..	04/01/84	05/04/89	54 FR 19169
401 KAR 61:085 ....	Existing service stations .....	02/08/93	06/23/94	59 FR 32343
401 KAR 61:090 ....	Existing automobile and light-duty surface coating operations ...	06/24/92	06/23/94	59 FR 32343
401 KAR 61:095 ....	Existing solvent metal cleaning equipment .....	06/24/92	06/23/94	59 FR 32343
401 KAR 61:100 ....	Existing insulation of magnet wire operations .....	06/24/92	06/23/94	59 FR 32343
401 KAR 61:105 ....	Existing metal furniture coating operations .....	06/24/92	06/23/94	59 FR 32343
401 KAR 61:110 ....	Existing large appliance surface coating operations .....	06/24/92	06/23/94	59 FR 32343
401 KAR 61:120 ....	Existing fabric, vinyl and paper surface coating operations .....	06/24/92	06/23/94	59 FR 32343
401 KAR 61:122 ....	Existing graphic arts facilities using rotogravure and flexography ..	06/24/92	06/23/94	59 FR 32343
401 KAR 61:124 ....	Existing factory surface coating operations of flat wood paneling ..	06/24/92	06/23/94	59 FR 32343
401 KAR 61:125 ....	Existing can surface coating operations .....	06/24/92	06/23/94	59 FR 32343
401 KAR 61:130 ....	Existing coil surface coating operations .....	06/24/92	06/23/94	59 FR 32343
401 KAR 61:132 ....	Existing miscellaneous metal parts and products surface coating operations.	06/24/92	06/23/94	59 FR 32343
401 KAR 61:135 ....	Selected existing petroleum refining processes and equipment .....	06/29/79	01/25/80	45 FR 6092
401 KAR 61:137 ....	Leaks from existing petroleum refinery equipment .....	06/24/92	06/23/94	59 FR 32343
401 KAR 61:140 ....	Existing by-product coke manufacturing plants .....	09/04/86	01/08/88	53 FR 501
401 KAR 61:145 ....	Existing petroleum refineries .....	01/07/81	03/22/83	48 FR 11945
401 KAR 61:150 ....	Existing synthesized pharmaceutical product manufacturing operations.	06/24/92	06/23/94	59 FR 32343
401 KAR 61:155 ....	Existing pneumatic rubber tire manufacturing plants .....	06/24/92	06/23/94	59 FR 32343

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EPA-APPROVED KENTUCKY REGULATIONS FOR KENTUCKY—Continued

Regulation	Title/subject	State effective date	EPA approval date	Federal Register Notice
401 KAR 61:160 ....	Existing perchloroethylene dry cleaning systems .....	06/24/92	06/23/94	59 FR 32343
401 KAR 61:165 ....	Existing primary aluminum reduction plants .....	06/04/85	12/02/86	51 FR 43395
401 KAR 61:170 ....	Existing blast furnace casthouses .....	04/14/88	02/07/90	55 FR 4169
401 KAR 61:175 ....	Leaks from existing synthetic organic chemical and polymer manufacturing equipment.	06/24/92	06/23/94	59 FR 32343
<b>Chapter 63 General Standards of Performance</b>				
401 KAR 63:001 ....	Definitions & abbreviations of terms used in 401 KAR chapter 63.	06/06/96	01/01/97	62 FR 2916
401 KAR 63:005 ....	Open burning .....	01/12/98	12/08/98	63 FR 67586
401 KAR 63:010 ....	Fugitive emissions .....	06/06/79	07/12/82	47 FR 30059
401 KAR 63:015 ....	Flares .....	06/06/79	12/24/80	45 FR 84999
401 KAR 63:020 ....	Potentially hazardous matter or toxic substances .....	06/06/79	12/24/80	45 FR 84999
401 KAR 63:025 ....	Asphalt paving operations .....	06/24/92	06/23/94	59 FR 32343
401 KAR 63:031 ....	Leaks from gasoline tank trunks .....	02/08/93	06/23/94	59 FR 32343
<b>Chapter 65 Mobile Source Related Emissions</b>				
401 KAR 65:001 ....	Definitions & abbreviations of terms used in 401 KAR chapter 65.	06/19/96	01/21/97	62 FR 2916
401 KAR 65:005 ....	Liquefied petroleum gas carburetion systems .....	06/06/79	01/25/80	45 FR 6092
401 KAR 65:010 ....	Vehicle emission control programs .....	01/12/98	12/08/98	63 FR 67586

(d) EPA-approved source specific requirements.

EPA-APPROVED KENTUCKY SOURCE-SPECIFIC REQUIREMENTS

Name of source	Permit number	State effective date	EPA approval date	Federal Register Notice
Bubble action at Kentucky Utilities Green River Plant.	N/A .....	12/01/80	06/15/81	46 FR 31260
Bubble action at Corning Glassworks .....	N/A .....	05/18/81	10/29/81	46 FR 53408
Bubble action at National Distillers Company's, Old Crow Plant.	N/A .....	12/24/80	09/14/81	46 FR 45610
Bubble action at General Electric in Louisville .....	N/A .....	08/07/81	01/12/82	47 FR 1291
Bubble action at Borden Chemical CO. in Jefferson CO.	N/A .....	03/05/82	05/11/82	47 FR 20125
Variance for seven perchloroethylene dry cleaners.	N/A .....	08/04/82	05/02/83	48 FR 19176
Variance for two dry cleaners .....	N/A .....	01/27/83	05/05/83	48 FR 20233
Variance for Jiffy and Hiland Dry Cleaners .....	N/A .....	04/25/84	04/18/85	50 FR 15421
TVA Paradise Permit .....	KDEPDAQ Permit 0-87-012 .....	06/29/87	08/25/89	54 FR 35326
Opacity variance for boiler Units 1 and 2 of TVA's Paradise Steam Plant.	KDEPDAQ Permit 0-86-75 .....	07/24/96	08/17/88	53 FR 30998
Operating Permits for nine presses at the Alcan Foil Products facility—Louisville.	APCDJC Permits 103-74, 104-74, 105-74, 103-74, 110-74, 111-74.	02/28/90	05/16/90	55 FR 20269
Operating Permit requiring VOC RACT for Calgon CO.	KYDEPDAQ Permit 0-94-020 ...	11/17/94	05/24/95	60 FR 27411
Reynolds Metals Company .....	APCDJC Permits 103-74, 104-74, 016-74, 110-74, 111-74.	04/16/97	01/13/98	63 FR 1929

(e) EPA-approved nonregulatory provisions.

EPA-APPROVED KENTUCKY NONREGULATORY PROVISIONS

Appendix	Title/subject	State effective date	EPA approval date	Federal Register Notice
1 .....	1979 revisions for Part D requirements for ozone NAA .....	06/29/79	01/25/80	45 FR 6092
2 .....	1979 revisions for Part D requirements for SO <sub>2</sub> NAA .....	06/29/79	10/31/80	45 FR 72153
3 .....	1979 revisions for Part D requirements for total suspended particulate NAA.	06/29/79	12/24/80	45 FR 84999
4 .....	Corrections in 1979 ozone revisions required by conditional approval of 1/25/80.	05/18/80	08/07/81	46 FR 40188

## EPA-APPROVED KENTUCKY NONREGULATORY PROVISIONS—Continued

Appendix	Title/subject	State effective date	EPA approval date	Federal Register Notice
5 .....	1979 Revisions for Part D requirements for the Jefferson CO NAA.	06/29/79	08/07/81	46 FR 40186
6 .....	Air Quality surveillance plan .....	11/15/79	11/16/81	46 FR 56198
7 .....	Boone CO I/M ordinance and transportation control measures .....	11/19/80	11/30/81	46 FR 58080
8 .....	Lead SIP .....	05/07/80	11/30/81	46 FR 58082
9 .....	Miscellaneous non-Part D revisions .....	06/29/79	07/12/82	47 FR 30059
10 .....	Corrections in 79 Part D revisions for SO <sub>2</sub> NAA Boyd CO .....	09/24/82	03/22/83	48 FR 13168
11 .....	1982 Revisions to Part D Plan for the Jefferson CO ozone and CO NAA.	02/09/83	10/09/84	49 FR 39547
12 .....	Protection Visibility in Class I Areas .....	06/15/83	07/12/88	53 FR 26253
13 .....	Maintenance Plan for Owensboro and Edmonson County areas ..	08/31/97	11/03/94	59 FR 55058
14 .....	Maintenance Plan for Paduch Area .....	12/28/92	02/07/95	60 FR 38707
15 .....	SBAP .....	01/15/93	06/19/95	60 FR 31915
16 .....	Lexington Maintenance Plan .....	07/15/93	09/11/95	60 FR 47094
17 .....	Ashland-Huntington Maintenance Plan .....	01/15/93	06/29/95	60 FR 33752
18 .....	Maintenance Plan Revision for Owensboro & Edmonson CO .....	05/24/95	09/03/98	63 FR 46898
19 .....	Northern Kentucky 15% Plan & I/M .....	04/14/98	12/08/98	63 FR 67591
		09/11/98		

[64 FR 28750, May 27, 1999]

**§ 52.921 Classification of regions.**

The Kentucky plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Appalachian Intrastate .....	II	III	III	III	III
Bluegrass Intrastate .....	II	III	III	III	III
Evansville (Indiana)-Owensboro-Henderson (Kentucky) Interstate .....	I	II	III	III	III
Huntington (West Virginia)-Ashland (Kentucky)-Portsmouth-Ironton (Ohio) Interstate .....	I	III	III	III	III
Louisville Interstate .....	I	I	III	III	I
Metropolitan Cincinnati Interstate .....	I	II	III	III	I
North Central Kentucky Intrastate .....	II	III	III	III	III
Paducah (Kentucky)-Cairo (Illinois) Interstate .....	I	II	III	III	III
South Central Kentucky Intrastate .....	III	III	III	III	III

[37 FR 10868, May 31, 1972, as amended at 39 FR 16346, May 8, 1974]

**§ 52.922 [Reserved]****§ 52.923 Approval status.**

(a) With the exceptions set forth in this subpart, the Administrator approves Kentucky's plans for the attainment and maintenance of the national standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds the plans satisfy all requirements of Part D, Title I, of the Clean Air Act as amended in 1977, except as noted below. In addition, continued satisfaction of the requirements of Part D for the ozone portion of the

SIP depends on the adoption and submittal of RACT requirements by July 1, 1980 for the sources covered by CTGs issued between January 1978 and January 1979 and adoption and submittal by each subsequent January of additional RACT requirements for sources covered by CTGs issued by the previous January.

(b) New Source review permits issued pursuant to Section 173 of the Clean Air Act will not be deemed valid by EPA unless the provisions of Section V

## Environmental Protection Agency, EPA

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of Appendix S of 40 CFR part 51 are met.

[45 FR 72157, Oct. 31, 1980]

### § 52.924 Legal authority.

(a) The requirements of § 51.230(f) of this chapter are not met since K.R.S. 224.380 of the Air Pollution Control Law of the Commonwealth of Kentucky (June 18, 1970) does not provide for the release, under certain circumstances, of emission data to the public.

(b) Delegation of Authority: Pursuant to section 114 of the Act, Kentucky requested a delegation of authority to enable it to collect, correlate, and release emission data to the public. The Administrator has determined that Kentucky is qualified to receive a delegation of the authority it requested. Accordingly, the Administrator delegates to Kentucky his authority under

section 114(a) (1) and (2) and section 114(c) of the Act, i.e., authority to collect, correlate, and release emission data to the public.

[37 FR 10868, May 31, 1972, as amended at 37 FR 15084, July 27, 1972; 51 FR 40676, Nov. 7, 1986]

### § 52.925 General requirements.

(a) The requirements of § 51.116(c) of this chapter are not met since the legal authority to provide for public availability of emission data is inadequate.

[39 FR 34536, Sept. 26, 1974, as amended at 51 FR 40676, Nov. 7, 1986]

### § 52.926 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. The dates reflect the information presented in Kentucky's plan, except where noted.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Ozone
	Primary	Secondary	Primary	Secondary			
Appalachian Intrastate:							
a. Bell County .....	g	h	b	b	b	b	b
b. Perry County .....	g	h	b	b	b	b	b
c. Whitley County .....	g	h	b	b	b	b	b
d. Rest of AQCR .....	c	c	b	b	b	b	b
Bluegrass Intrastate:							
a. Fayette County .....	a	c	b	b	b	b	g
b. Madison County .....	g	h	b	b	b	b	b
c. Rest of AQCR .....	a	c	b	b	b	b	b
Evansville (Indiana)-Owensboro-Henderson (Kentucky) Interstate:							
a. Daviess County .....	g	i	g	g	b	b	b
b. Henderson County .....	g	i	a	e	b	b	g
c. Webster County .....	c	c	g	g	b	b	b
d. Rest of AQCR .....	c	c	a	e	b	b	b
Huntington (West Virginia)-Ashland (Kentucky)-Portsmouth-Ironton (Ohio) Interstate:							
a. Boyd County .....	g	i	g	b	b	b	g
b. Lawrence County .....	g	h	b	b	b	b	b
c. Rest of AQCR .....	c	c	b	b	b	b	b
Louisville Interstate .....	g	i	j	j	b	h	h
Metropolitan Cincinnati Interstate:							
a. Boone County .....	c	c	a	d	b	d	h
b. Campbell County .....	g	h	a	d	b	d	h
c. Kenton County .....	c	c	a	d	b	d	h
d. Rest of AQCR .....	c	c	a	d	b	d	c
North Central Kentucky Intrastate:							
a. Bullitt County .....	g	h	b	b	b	b	b
b. Rest of AQCR .....	a	c	b	b	b	b	b
Paducah (Kentucky) Cairo (Illinois) Interstate:							
a. McCracken County .....	g	h	g	f	b	b	b
b. Marshall County .....	c	g	a	f	b	b	b
c. Muhlenberg County .....	g	h	g	g	b	b	b
d. Rest of AQCR .....	c	c	a	f	b	b	b
South Central Kentucky Intrastate .....	b	b	b	b	b	b	b

See § 81.318 of this chapter to identify the specific nonattainment area.

NOTE: Dates or footnotes in italics are prescribed by the Administrator because the plan did not provide a specific date or the dates provided were not acceptable. Sources subject to plan requirements and attainment dates established under section 110(a)(2)(A) prior to the 1977 Clean Air Act Amendments remain obligated to comply with those requirements by the earlier deadlines. The earlier attainment dates are set out at 40 CFR 52.926 (1979 edition).

- a. Air quality levels presently below primary standards or area is unclassifiable.
- b. Air quality levels presently below secondary standards or area is unclassifiable.
- c. April 1975.
- d. July 1975.
- e. July 1977.
- f. July 1978.
- g. December 31, 1982.
- h. December 31, 1987.
- i. 18 month extension for plan submittal granted: attainment date not yet established.
- j. January 1, 1985.

[45 FR 85002, Dec. 24, 1980]

### § 52.927 Compliance schedules.

(a) The requirements of § 51.262(a) of this chapter are not met since compliance schedules with adequate increments of progress have not been submitted for every source for which they are required.

(b) Federal compliance schedules.

(1) Except as provided in paragraph (b)(5) of this section, the owner or operator of any fuel-burning facility subject to the requirements of the Kentucky Air Pollution Control Regulations as they apply to sulfur dioxide sources, shall notify the Regional Administrator, by no later than November 3, 1975, of his intent to utilize either low-sulfur fuel or stack gas desulfurization to meet these requirements.

(2) Any owner or operator of a stationary source subject to paragraph (b)(1) of this section who elects to utilize low-sulfur fuel shall be subject to the following compliance schedule:

(i) December 1, 1975—Submit to the Regional Administrator a projection of the amount of fuel, by types, that will be substantially adequate to enable compliance with the applicable regulation on July 1, 1977, and for at least one year thereafter, as well as a statement as to whether boiler modifications will be required. If so, final plans for such modifications must be submitted simultaneously.

(ii) December 31, 1975—Sign contracts with fuel suppliers for projected fuel requirements as projected above.

(iii) December 31, 1975—Let contracts for necessary boiler modifications, if applicable.

(iv) January 30, 1976—Initiate onsite modifications, if applicable.

(v) May 1, 1977—Complete onsite modifications, if applicable.

(vi) July 1, 1977—Achieve compliance with the applicable regulations, and certify such compliance to the Regional Administrator.

(3) Any owner or operator subject to paragraph (b)(1) of this section who elects to utilize stack gas desulfurization shall be subject to the following compliance schedule:

(i) December 1, 1975—Submit to the Regional Administrator a final control plan, which describes at a minimum the steps which will be taken by the source to achieve compliance with the applicable regulations.

(ii) December 31, 1975—Negotiate and sign all necessary contracts for emission control systems or process modifications, or issue orders for the purchase of component parts to accomplish emission control or process modifications.

(iii) January 30, 1976—Initiate onsite construction or installation of emission control equipment or process modification.

(iv) May 1, 1977—Complete onsite construction or installation or emission control equipment or process modification.

(v) July 1, 1977—Complete shutdown operations and performance tests for the applicable unit(s); achieve compliance with Kentucky Division of Air Pollution Regulation for sulfur dioxide sources and certify such compliance to the Regional Administrator. Ten days prior to any performance testing, notice must be given to the Regional Administrator to afford him the opportunity to have an observer present.

(4) Five days after the deadline for completing increments in paragraphs (b)(2)(ii) through (b)(2)(v) and (b)(3)(ii)

through (b)(3)(iv) of this section, certify to the Regional Administrator whether the increment has been met.

(5) (i) None of the above paragraphs shall apply to a source which is presently in compliance with applicable regulations. The owner or operator of any fuel-burning facility with an aggregate heat input of more than 250 million BTU per hour which is presently in compliance, shall certify such compliance to the Regional Administrator by November 3, 1975. The Regional Administrator may request whatever supporting information he considers necessary for proper certification.

(ii) Any compliance schedule adopted by the State and approved by the Administrator shall satisfy the requirements of this paragraph for the affected source.

(iii) Any owner or operator subject to a compliance schedule in this paragraph may submit to the Regional Administrator no later than December 1, 1975, a proposed alternative compliance schedule. No such compliance schedule may provide for final compliance after the final compliance date in the applicable compliance schedule of this paragraph. If approved by the Administrator, such schedule shall satisfy the requirements of this paragraph for the affected source.

(6) Nothing in this paragraph shall preclude the Administrator from promulgating a separate schedule for any source to which the application of a compliance schedule in this paragraph fails to satisfy the requirements of §§ 51.261 and 51.262(a) of this chapter.

[38 FR 16145, June 20, 1973, as amended at 40 FR 3418, Jan. 22, 1975; 40 FR 14071, Mar. 28, 1975; 40 FR 29541, July 14, 1975; 40 FR 40160, Sept. 2, 1975; 51 FR 40675, 40676, 40677, Nov. 7, 1986; 54 FR 25258, June 14, 1989]

#### **§ 52.928 Control strategy: Sulfur oxides.**

The revised SO<sub>2</sub> emission limit for large coal-fired boilers in Bell, Clark, and Woodford Counties, submitted on June 29, 1979, is disapproved since it does not provide for attainment and maintenance of all SO<sub>2</sub> NAAQS. The limit approved by EPA on May 10, 1976

(41 FR 19105), remains the limit applicable to these sources.

[49 FR 11091, Mar. 23, 1984]

#### **§ 52.929 [Reserved]**

#### **§ 52.930 Control strategy: Ozone.**

(a) The VOC bubble for Alcan Foil Products in Louisville submitted as a SIP revision on March 3, 1986, is disapproved. The source must continue to meet all the requirements of Jefferson County Regulation 6.29.

(b) *Part D—disapproval*—(1) Campbell and Kenton Counties nonattainment area. The 1979 SIP revisions for these two counties are disapproved because the Commonwealth failed to submit evidence of legal authority to implement a vehicle inspection and maintenance program as required under section 172(b)(11)(B) of the Clean Air Act. No major new or modified sources of volatile organic compounds can be built in these two counties by virtue of the provisions of section 110(a)(2)(I) of the Clean Air Act.

(2) Northern Kentucky (Boone, Campbell and Kenton Counties) ozone nonattainment area. The demonstration of attainment of the ozone standards by the end of 1982, submitted as part of Kentucky's ozone SIP revision on June 23, 1982, (draft), September 27, 1982, and November 3, 1982, is disapproved. As a result, the extension of the attainment deadline until December 31, 1987, remains in effect, along with the related requirement to submit a SIP revision addressing all requirements of Part D extension areas.

(c) The redesignation request submitted by the Commonwealth of Kentucky, on November 11, 1994, for the Kentucky portion of the Cincinnati-Northern Kentucky moderate interstate ozone nonattainment area from nonattainment to attainment was disapproved on September 27, 1996.

(d) Kentucky's November 15, 1996, request for a 1-year attainment date extension for the Kentucky portion of the Cincinnati-Hamilton metropolitan moderate ozone nonattainment area which consists of Kenton, Boone, and Campbell Counties is approved. The date for attaining the ozone standard in these counties is November 15, 1997.

(e) Kentucky's November 15, 1996, request for a 1-year attainment date extension for the Kentucky portion of the Louisville moderate ozone nonattainment area which consists of Jefferson County and parts of Bullitt and Oldham Counties is approved. The date for attaining the ozone standard in these counties is November 15, 1997.

(f) Kentucky's January 7, 1998, request for a 1-year attainment date extension for the Kentucky portion of the Cincinnati-Hamilton metropolitan moderate ozone nonattainment area which consists of Kenton, Boone, and Campbell Counties is approved. The date for attaining the ozone standard in these counties is November 15, 1998.

[46 FR 58082, Nov. 30, 1981, as amended at 48 FR 13169, Mar. 30, 1983; 51 FR 10210, Mar. 25, 1986; 54 FR 10983, Mar. 16, 1989; 60 FR 32469, June 22, 1995; 60 FR 40101, Aug. 7, 1995; 61 FR 50720, Sept. 27, 1996; 62 FR 28637, May 27, 1997; 62 FR 40281, July 28, 1997; 62 FR 55176, Oct. 23, 1997; 62 FR 61246, Nov. 17, 1997; 63 FR 14625, Mar. 26, 1998]

#### **§ 52.931 Significant deterioration of air quality.**

(a) Regulations for preventing significant deterioration of air quality. The provisions of § 52.21 (b) through (w) are hereby incorporated and made a part of the applicable state plan for the State of Kentucky only as they apply to permits issued pursuant to § 52.21 prior to final approval of Kentucky's Regulation for Prevention of Significant Deterioration (PSD), Visibility Monitoring, and Visibility New Source Review in Attainment Areas. The provisions of § 52.21 (b) through (w) are rescinded for permits issued after final approval of Kentucky's Regulation for Prevention of Significant Deterioration (PSD), Visibility Monitoring, and Visibility New Source Review in Attainment Areas.

(b) The Commonwealth of Kentucky has committed to revising the state's regulations accordingly when EPA amends the federal vessel emissions provisions contained in 40 CFR 51.166. In a letter dated October 17, 1986, Kentucky stated:

As requested, the Division of Air Pollution Control hereby commits to changing the definition of "building, structure, facility, or installation," and any other applicable definitions, when the issue of vessel emissions is

resolved at the federal level, and after the federal regulation, 40 CFR 51.24, is amended.

(c) In a letter dated May 3, 1988, EPA informed Kentucky that the following caveat must be included in all potentially affected permits due to a decision of the U.S. Court of Appeals for the District of Columbia Circuit (*NRDC v. Thomas*, 838 F.2d 1224):

In approving this permit, the Kentucky Division for Air Quality has determined that the application complies with the applicable provisions of the stack height regulations as revised by the EPA on July 8, 1985 (50 FR 27892). Portions of the regulations have been remanded by a panel of the U.S. Court of Appeals for the D.C. Circuit in *NRDC v. Thomas*, 838 F.2d 1224 (D.C. Cir. 1988). Consequently, this permit may be subject to modification if and when the EPA revises the regulation in response to the court decision. This may result in revised emission limitations or may affect other actions taken by the source owners or operators.

Kentucky responded with a letter dated May 11, 1988, stating in part:

This is in response to your letter dated May 3, 1988 \* \* \*. As requested by your letter, the Kentucky Division for Air Quality agrees to include the condition set forth in your letter, in all potentially affected permits issued under regulation 401 KAR 51:017 or 401 KAR 51:052. Therefore, we request that you consider this letter as our commitment that the required caveat will be included in all potentially affected permits \* \* \*.

[54 FR 36311, Sept. 1, 1989]

#### **§ 52.932 Rules and regulations.**

(a) The last sentence of section 3(1) of Kentucky regulation 401 KAR 3:050, which specifies that a new fossil fuel fired steam electric generator's allowable SO<sub>2</sub> emissions may be calculated by averaging SO<sub>2</sub> emissions from existing units of this type and from new ones, is disapproved since it contravenes subpart D of 40 CFR part 60, New Source Performance Standards.

(b) Section 8(2)(a) of regulation 401 KAR 61:015 is disapproved in that it allows the Tennessee Valley Authority's Shawnee power plant until October 1, 1981, to achieve compliance with emissions limits which are not made more stringent by the 1979 Part D revisions, and which the source was previously required to meet by July 1, 1977.



(c) Section 8(2)(d) of regulation 401 KAR 61:015 is disapproved in that it allows sources until December 31, 1982, to achieve compliance with emission limits which are not made more stringent by the 1979 Part D revisions, and which the sources were previously required to meet prior to 1979.

[41 FR 19106, May 10, 1976, as amended at 46 FR 40188, Aug. 7, 1981]

**§ 52.933 Control Strategy: Sulfur oxides and particulate matter.**

In a letter dated March 27, 1987, the Kentucky Department for Natural Resources and Environmental Protection certified that no emission limits in the State's plan are based on dispersion techniques not permitted by EPA's stack height rules. This certification does not apply to: Big Rivers-Green #1 & 2, Kentucky Utilities-Ghent #3 & 4, and Ashland Oil, Inc.-Catlettsburg.

[54 FR 23478, June 1, 1989]

**§ 52.934 VOC rule deficiency correction.**

(a) Sections 1.02, 1.08, 6.12, 6.13, 6.16, 6.18, 6.19, 6.23, 6.29, 6.30, 6.31, 6.32, 6.33, 6.34, 6.35, 7.11, 7.12, 7.16, 7.18, 7.19, 7.23, 7.52, 7.56, 7.57, 7.58, 7.59, 7.60 and 7.61 of the Jefferson County portion of the Commonwealth of Kentucky SIP are being approved. The Commonwealth submitted these regulations to EPA for approval on February 12, 1992. These sections were intended to correct deficiencies cited in a letter calling for the Commonwealth to revise its SIP for ozone from Greer C. Tidwell, the EPA Regional Administrator, to Governor Wallace G. Wilkinson on May 26, 1988, and clarified in a letter from Winston A. Smith, Air, Pesticides & Toxics Management Division Director, to William C. Eddins, Director of the Commonwealth of Kentucky Division for Air Quality.

(b) Sections 1.05, 1.06, 6.17, 6.36, 6.37, and 6.40 of the Jefferson County portion of the Commonwealth of Kentucky SIP are being approved. The Commonwealth submitted these regulations to EPA for approval on March 4, 1993. These sections were intended to correct deficiencies cited in a letter calling for the Commonwealth to revise its SIP for ozone from Greer C. Tidwell, the

EPA Regional Administrator, to Governor Wallace G. Wilkinson on May 26, 1988, and clarified in a letter from Winston A. Smith, Air, Pesticides & Toxics Management Division Director, to William C. Eddins, Director of the Commonwealth of Kentucky Division for Air Quality.

(c) Deficiencies in 1.12 Emissions Trading, however, have not been corrected. The above deficiencies must be corrected according to the letters mentioned above, the proposed post-1987 ozone policy (52 FR 45044), and other EPA guideline relating to the deficiencies before the SIP for ozone can be fully approved.

[59 FR 32352, June 23, 1994]

**§ 52.935 PM<sub>10</sub> State implementation plan development in group II areas.**

On July 7, 1988, the State submitted a committal SIP for the cities of Ashland and Catlettsburg in Boyd County. The committal SIP contains all the requirements identified in the July 1, 1987, promulgation of the SIP requirements for PM<sub>10</sub> at 52 FR 24681. The SIP commits the State to submit an emissions inventory, continue to monitor for PM<sub>10</sub>, report data and to submit a full SIP if a violation of the PM<sub>10</sub> National Ambient Air Quality Standards is detected.

[55 FR 4172, Feb. 7, 1990]

**§ 52.936 Visibility protection.**

(a) The requirements of Section 169A of the Clean Air Act are not met because the plan does not include approvable procedures meeting the requirements of 40 CFR 51.307 (b) and (c) for protection of visibility in mandatory Class I Federal areas from sources in nonattainment areas.

(b) Regulations for visibility monitoring and new source review. The provisions of § 52.28 are hereby incorporated and made part of the applicable plan for the State of Kentucky.

[54 FR 36311, Sept. 1, 1989]

**§ 52.937 Review of new sources and modifications.**

(a) Approval—EPA is approving the section 182(f) oxides of nitrogen (NO<sub>x</sub>)

reasonably available control technology (RACT) exemption request submitted by the Kentucky Department for Environmental Protection on August 16, 1994, for the Kentucky portion of the Huntington-Ashland ozone (O<sub>3</sub>) moderate nonattainment area. This approval exempts this area from implementing NO<sub>x</sub> RACT on major sources of NO<sub>x</sub>. If a violation of the O<sub>3</sub> NAAQS occurs in the area, the exemption from the requirement of section 182(f) of the CAA in the applicable area shall not apply.

(b) [Reserved]

[60 FR 21717, May 3, 1995]

**§ 52.938 General conformity.**

The General Conformity regulations were submitted on November 10, 1995, and adopted into the Kentucky State Implementation Plan (SIP). The Commonwealth of Kentucky incorporated by reference regulations 40 CFR part 51, subpart W—determining conformity of General Federal Actions to State or Federal Implementation Plans.

[63 FR 40046, July 27, 1998]

**§ 52.939 Original identification of plan section.**

(a) This section identifies the original “Air Implementation Plan for the Commonwealth Kentucky” and all revisions submitted by Kentucky that were federally approved prior to March 1, 1999.

(b) The plan was officially submitted on February 8, 1972, and was resubmitted on December 5, 1973.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Clarifying comments on the plan submitted on March 6, 1972, by the Kentucky Air Pollution Control Office.

(2) Chapters IV and V, Control Strategies, and Chapter VII, Emission Control Regulations, submitted on March 17, 1972, by the Kentucky Air Pollution Control Office.

(3) Summary letter of Kentucky Air Pollution Control Commission and Regional Office meeting with attachments submitted May 3, 1972, by the Kentucky Air Pollution Control Office.

(4) Letter requesting delegation of authority and offering justification for a two-year extension for attainment of

the sulfur dioxide primary standard submitted on June 7, 1972, by the Governor.

(5) Indirect source Regulation AP-11 and compliance schedules submitted on December 5, 1973, by the Governor.

(6) Compliance schedules submitted on February 15, 1974, by the Kentucky Department for Natural Resources and Environmental Protection.

(7) Compliance schedules submitted on April 23, 1974, by the Kentucky Department for Natural Resources and Environmental Protection.

(8) Clarifying comments submitted on May 21, 1974, by the Kentucky Department for Natural Resources and Environmental Protection.

(9) AQMA material submitted on January 6, 1975, by the Kentucky Department for Natural Resources and Environmental Protection.

(10) Revised body of air pollution control regulations and revised control strategies submitted respectively on August 29 and September 16, 1975, by the Kentucky Department for Natural Resources and Environmental Protection.

(11) Letters requesting delegation of Federal authority for the administrative and technical portions of the Prevention of Significant Deterioration program were submitted on May 5 and June 13, 1976 by the Secretary of the Department for Natural Resources and Environmental protection.

(12) 1979 revisions for Part D requirements for ozone nonattainment areas, submitted on June 29, 1979, by the Kentucky Department for Natural Resources and Environmental Protection.

(13) 1979 revisions for Part D requirements for sulfur dioxide nonattainment areas (Boyd, Jefferson, McCracken, Muhlenberg, and Webster Counties), submitted on June 29, 1979, by the Kentucky Department for Natural Resources and Environmental Protection.

(14) 1979 revisions for Part D requirements for total suspended particulate nonattainment areas (Bell, Boyd, Jefferson, McCracken and Muhlenberg counties, that portion of Bullitt County in Shepherdsville, that portion of Campbell County in Newport, that portion of Daviess County in Owensboro, those portions of Henderson County in and around Henderson, that portion of

Lawrence County in Louisa, that portion of Madison County in Richmond, that portion of Perry County in Hazard, that portion of Pike County in Pikeville, and that portion of Whitley County in Corbin) submitted on June 29, 1979, by the Kentucky Department for Natural Resources and Environmental Protection.

(15) Revision to the State Implementation Plan for a bubble action at the Kentucky Utilities—Green River Station was submitted on December 1, 1980.

(16) Corrections in 1979 ozone revisions required by conditional approval of January 25, 1980, submitted on May 18, 1980 (letter on oil-water effluent separators), September 22, 1980 (Jefferson County I/M ordinance and schedule), November 19, 1980 (Jefferson County transportation related commitments), and on January 8, 1981 (changes in Jefferson County I/M schedule), by the Kentucky Department for Natural Resources and Environmental Protection.

(17) 1979 Revisions for Part D requirements for the Jefferson County carbon monoxide nonattainment area, submitted on June 29, 1979, by the Kentucky Department for Natural Resources and Environmental Protection. Additional materials to correct the deficiencies noted in the November 15, 1979 proposed conditional approval were submitted as SIP revisions on September 22, 1980, November 19, 1980, and January 8, 1981, as noted in the preceding paragraph.

(18) Air quality surveillance plan submitted on November 15, 1979, by the Kentucky Department for Natural Resources and Environmental Protection.

(19) Revision to the State Implementation Plan for a bubble action at Corning Glassworks, Danville, Kentucky was submitted on May 18, 1981, by the Kentucky Department for Natural Resources and Environmental Protection.

(20) Revision to the State Implementation Plan for a bubble action at National Distillers Company's Old Crow Plant in Woodford County, submitted on December 24, 1980, by the Kentucky Department for Natural Resources and Environmental Protection.

(21) Boone County Inspection/Maintenance ordinance and transportation

control measures for Boone, Campbell, and Kenton Counties, submitted on November 19, 1980, by the Kentucky Department for Natural Resources and Environmental Protection.

(22) Set II VOC regulations, submitted on February 5, 1981, and September 24, 1982, by the Kentucky Department for Environmental Protection.

(23) Implementation plan for lead, submitted on May 7, 1980, by the Kentucky Department for Natural Resources and Environmental Protection.

(24) Provision for permit and exemption fees, submitted on June 10, 1981, by the Kentucky Department for Natural Resources and Environmental Protection.

(25) Provisions for public notifications and participation pursuant to section 127(a) of the Clean Air Act, submitted on April 8, 1980, by the Kentucky Department for Natural Resources and Environmental Protection.

(26) Revision to the State Implementation Plan for a bubble action at General Electric, Louisville, Kentucky, submitted on August 7, 1981, by the Kentucky Department for Natural Resources and Environmental Protection.

(27) Revised Boone County Inspection/Maintenance schedule submitted on October 9, 1981 by the Kentucky Department for Natural Resources and Environmental Protection.

(28) Addition to Appendix N of Jefferson County Regulation 6.28, Standard of Performance for Existing Hot Air Aluminium Atomization Processes, submitted on May 18, 1981, by the Kentucky Department for Natural Resources and Environmental Protection.

(29) Revision of Appendix N, Jefferson County Regulation 6.35, Standard of Performance for Existing Fabric, Vinyl and Paper Surface Coating Operations, submitted on November 17, 1981, by the Kentucky Department for Natural Resources and Environmental Protection.

(30) Jefferson County Set II VOC regulations for new/existing affected facilities, submitted on October 20, 1981, by the Kentucky Department for Natural Resources and Environmental Protection.

(31) Miscellaneous non-Part D revisions, submitted on June 29, 1979, by the Kentucky Department for Natural

Resources and Environmental Protection.

(32) Revision to the State Implementation Plan for a bubble action at Borden Chemical Co., Jefferson County, Kentucky, received by EPA from the Kentucky Department for Natural Resources and Environmental Protection on March 5, 1982.

(33) Addition of Kentucky Regulation 401 KAR 61:165, section 5, Particulate Standard for Existing Primary Aluminum Reduction Plants, submitted on March 4, 1982, by the Kentucky Department for Natural Resources and Environmental Protection.

(34) [Reserved]

(35) Corrections in 1979 Part D revisions for sulfur dioxide nonattainment area (Boyd County), submitted on September 24, 1982, by the Kentucky Natural Resources and Environmental Protection Cabinet.

(36) Variance for seven per-chloroethylene dry cleaners, submitted on August 4, 1982, by the Kentucky Department for Environmental Protection.

(37) Variances for two dry cleaners, submitted on January 27, 1983, by the Kentucky Department for Environmental Protection.

(38) Revised SO<sub>2</sub> limit for large coal-fired boilers in Pulaski County, submitted on June 29, 1979, by the Kentucky Department for Natural Resources and Environmental Protection.

(39)–(40) [Reserved]

(41) Revisions to Appendix N, submitted July 19, 1982 and March 21, 1983, by the Kentucky Department for Environmental Protection.

(42) Regulation 401 KAR 61:070, Existing Ferroalloy Production Facilities, for the Marshall County Part D TSP area, submitted on June 29, 1979, by the Kentucky Department for Environmental Protection.

(43) 1982 revisions to the Part D plan for the Jefferson County ozone and carbon monoxide nonattainment area, submitted by the Kentucky Natural Resources and Environmental Protection Cabinet on February 9, June 15, September 12, November 21, and December 9, 1983.

(44) Variances for two dry cleaners, Jiffy The Cleaners and Hiland Cleaners, submitted on April 25, 1984, by the Ken-

tucky Natural Resources Environmental Protection Cabinet.

(45) Corrections in the Part D TSP SIP and other revisions submitted on December 9, 1982, and May 1, 1984, by the Kentucky Department for Environmental Protection.

(i) Incorporation by reference.

(A) Revisions in regulations 401 KAR—

50:010, Definitions and Abbreviations;

50:055, General Compliance Requirements;

61:005, General Provisions;

61:015, Existing Indirect Heat Exchangers;

61:075, Steel Plants and Foundries Using Existing Electric Arc Furnaces;

61:080, Steel Plants Using Existing Basic Oxygen Process Furnaces;

61:140, Existing By-Product Coke Manufacturing Plants; and

61:170, Existing Blast Furnace Casthouses.

The changes in these regulations were effective September 22, 1982 (50:055), December 1, 1982 (50:010, 61:005, 61:015, 61:075, and 61:140), and April 1, 1984 (61:080 and 61:170). No action is taken on the definition of “volatile organic compounds” in 401 KAR 50:010.

(ii) Other material—none.

(46) Kentucky regulation 401 KAR 51:017, Prevention of significant deterioration of air quality, and Kentucky’s State Implementation Plan Revision for the Protection of Visibility for the Commonwealth of Kentucky pursuant to 40 CFR part 51, subpart P, submitted on February 20, 1986, by the Kentucky Natural Resources and Environmental Protection Cabinet.

(i) Incorporation by reference. (A) Kentucky regulation 401 KAR 51:017, Prevention of significant deterioration of air quality, which became State-effective on February 4, 1986.

(ii) Other material. (A) Kentucky’s State Implementation Revision for the Protection of Visibility for the Commonwealth of Kentucky, pursuant to 40 CFR part 51, subpart P, which became State-effective on February 4, 1986.

(47) Stack height regulations were submitted to EPA on July 15, 1986, by the Kentucky Natural Resources and Environmental Protection Cabinet.

(i) Incorporation by reference.

(A) Regulation 401 KAR 50:042, which became effective on June 10, 1986.

(ii) Other material—none.

(48) Revisions to the I/M portions of the carbon monoxide and ozone Part D plans for Jefferson County, submitted by the Kentucky Natural Resources and Environmental Protection Cabinet on February 18, 1986.

(i) Incorporation by reference.

(A) A revised Regulation 8, Vehicle Exhaust Testing Requirements of the rules of the Air Pollution Control District of Jefferson County which was adopted on September 18, 1985.

(ii) Other materials—none.

(49) A revision to the Kentucky SIP for Tennessee Valley Authority Paradise Steam Plant pursuant to the procedures specified in Kentucky regulation 401 KAR 61:015, section 3 was submitted on June 29, 1987, by the Kentucky Natural Resources and Environmental Protection Cabinet. The revised SO<sub>2</sub> limits are contained in Permit Number 0-87-012, issued on June 29, 1987.

(i) Incorporation by reference.

(A) Permit Number 0-87-012, issued by the Kentucky Natural Resources and Protection Cabinet on June 29, 1987.

(ii) Other material.

(A) Letter of June 27, 1987 from the Kentucky Natural Resources and Environmental Protection Cabinet.

(50) A revision in Kentucky regulation 401 KAR 61:140, Existing by-product coke manufacturing plants, submitted on September 19, 1986, by the Kentucky Natural Resources and Environmental Protection Cabinet.

(i) Incorporation by reference.

(A) A revision to Division of Air Pollution regulation 401 Kentucky Administrative Regulations (KAR) 61:140, Existing by-product coke manufacturing plants, which became effective on September 4, 1986.

(B) Letter of September 19, 1986 from the Commonwealth of Kentucky to EPA.

(51) Revisions to the I/M portions of the carbon monoxide and ozone Part D plans for Jefferson County, submitted by the Kentucky Natural Resources and Environmental Protection Cabinet on March 20, 1987.

(i) Incorporation by reference.

(A) A revised Regulation 8, Vehicle Exhaust Testing Requirements; of the rules of the Air Pollution Control Dis-

trict of Jefferson County which was adopted on December 17, 1986.

(B) March 2, 1987 letter to EPA from Jefferson County.

(ii) Additional materials—none.

(52) Kentucky Plan for the "Protection of Visibility in Class I Areas (PART II)" submitted to EPA on August 31, 1987, by the Kentucky Department for Environmental Protection (KDEP) to satisfy the Part 2 visibility requirements.

(i) Incorporation by reference.

(A) June 8, 1988, letter from the Kentucky Natural Resources and Environmental Protection Cabinet, October 9, 1987, clarification letter from the Kentucky Natural Resources and Environmental Protection Cabinet, and page 8 of the Kentucky plan for the protection of visibility in Class I areas (PART II) containing the periodic review requirements satisfying 40 CFR 51.306(c), adopted on August 31, 1987.

(ii) Additional material.

(A) Narrative entitled "The Kentucky Plan for the Protection of Visibility in Class I Areas (PART II)."

(53) Revisions to Kentucky regulation 401 KAR 50:015, Documents incorporated by reference, submitted by the Kentucky Natural Resources and Environmental Protection Cabinet on March 23, 1987.

(i) Incorporation by reference.

(A) Revisions to Kentucky regulation 401 KAR 50:015, Documents incorporated by reference which became State-effective on February 10, 1987.

(B) Letter of March 23, 1987, from the Kentucky Natural Resources and Environmental Protection Cabinet transmitting the foregoing revisions.

(ii) Additional material—none.

(54) An opacity variance for boiler Units 1 and 2 of Tennessee Valley Authority's (TVA's) Paradise Steam Plant, submitted on August 6, 1986, by the Kentucky Natural Resources and Environmental Protection Cabinet.

(i) Incorporation by reference.

(A) Permit No. 0-86-75, for the TVA Paradise Steam Plant, issued by the Kentucky Natural Resources and Environmental Protection Cabinet on July 24, 1986.

(B) Letter of August 6, 1986, from the Kentucky Natural Resources and Environmental Protection Cabinet.

(ii) Other material—none.

(55) Revisions to Jefferson County, Kentucky Regulation 2.08, Permit Fees and Renewal, submitted on March 20, 1987, by the Kentucky Natural Resources and Environmental Protection Cabinet.

(i) Incorporation by reference.

(A) Revisions to Jefferson County, Kentucky Regulation 2.08, Permit Fees and Renewal, which became State-effective on December 17, 1986.

(B) Letter of March 20, 1987, from the Kentucky Natural Resources and Environmental Protection Cabinet.

(ii) Other material—none.

(56) A revision to Kentucky Regulation 401 KAR 51:017, Prevention of Significant Deterioration of Air Quality, submitted on February 9, 1988, by the Kentucky Natural Resources and Environmental Protection Cabinet. The revision to section 12(1)(e) replaces the reference to Regulation 401 KAR 51:052 with a reference to 40 CFR part 51, Appendix S, section IV. This revision became State-effective on December 11, 1987.

(i) Incorporation by reference.

(A) Kentucky Regulation 401 KAR 51:017, Prevention of Significant Deterioration of Air Quality, section 12(1)(e), which became State-effective on December 11, 1987.

(ii) Other material.

(A) Letter of February 9, 1988, from the Kentucky Natural Resources and Environmental Protection Cabinet.

(57) Jefferson County Air Pollution Control District Regulation 6.38 was submitted to EPA on March 20, 1987 by the Kentucky Natural Resources and Environmental Protection Cabinet.

(i) Incorporation by reference.

(A) Jefferson County Air Pollution Control District Regulation 6.38, "Standards of performance for existing air oxidation processes in the synthetic organic chemical manufacturing industry", which became effective December 17, 1986.

(B) Letter of March 20, 1987, from the Kentucky Natural Resources and Environmental Protection Cabinet.

(ii) Other materials—none.

(58) Jefferson County Air Pollution Control District Regulation 6.39 was submitted to EPA on March 20, 1987, by

the Kentucky Natural Resources and Environmental Protection Cabinet.

(i) Incorporation by reference.

(A) Jefferson County Air Pollution Control District Regulation 6.39, "Standard of performance for equipment leaks of volatile organic compounds in existing synthetic organic chemical and polymer manufacturing plants", which became effective December 17, 1986.

(B) March 20, 1987, letter from the Kentucky Natural Resources and Environmental Protection Cabinet.

(ii) Other materials—none.

(59) Revision to Jefferson County Regulations 3.05, Methods of Measurement submitted on January 19, 1989, by the Kentucky Natural Resources and Environmental Protection Cabinet.

(i) Incorporation by reference.

(A) Revisions to the Jefferson County Regulations, 3.05. Methods of Measurement.

This revision became State-effective April 20, 1988.

(ii) Other material.

(A) Letter of January 19, 1989, from the Kentucky Natural Resources and Environmental Protection Cabinet.

(60) Corrections in Part D TSP SIP and other revisions submitted on September 19, 1986, by the Kentucky Department for Environmental Protection. The removal of these last two conditions renders the Kentucky's Part D SIP for TSP fully approved.

(i) Incorporation by reference.

(A) Revisions in Regulation 401 KAR—

*50:015. Documents Incorporated by Reference.*

Section 1. Code of Federal Regulations,  
Section 3. American Society for Testing and Materials.

Section 8. Kentucky Division of Air Pollution,

Section 10. American Public Health Association, and

Section 11. Availability.

*59:010. New process operations.*

Section 1. Applicability,

Section 2. Definitions,

Section 3. Standard for Particulate Matter, and

Section 4. Test Methods and Procedures.

*61:020. Existing process operations.*

Section 1. Applicability

Section 2. Definitions;

Section 3. Standard for Particulate Matter, and

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### Section 4. Test Methods and Procedures.

These changes were effective September 4, 1986.

(B) Letter of September 19, 1986, from the Kentucky Natural Resources and Environmental Protection Cabinet to EPA.

(ii) Other material—none.

(61) Revisions in Regulations 5.01, 6.12, 6.19, 6.22, 6.29, 6.30, 6.31, 6.32, 6.33, 6.34, and 6.35 of the Jefferson County portion of Kentucky's SIP were submitted on January 19, 1989, by Kentucky's Natural Resources Division and Environmental Protection Cabinet.

(i) Incorporation by reference.

(A) Amendments to the Jefferson County Regulations 5.01, 6.12, 6.19, 6.22, 6.29, 6.30, 6.31, 6.32, 6.33, 6.34, and 6.35 adopted on April 20, 1988.

(B) Letter of January 19, 1989, from Kentucky's Natural Resources and Environmental Protection Cabinet.

(ii) Other materials—none.

(62) Revision to Kentucky Regulation 401 KAR 50:015, Documents incorporated by reference submitted on February 9, 1989, by the Kentucky Natural Resources and Environmental Protection Cabinet. Section 5(1)(a) was amended to incorporate by reference Supplement A to the Guideline on Air Quality Models (Revised), July 1987. Supplement A became effective February 5, 1988. Section 12(4) was amended to reflect the current phone number for the Florence Regional Office. The revisions to 50:015 became state effective October 26, 1988.

(i) Incorporation by Reference.

(A) Kentucky Regulation 401 KAR 50:015, Documents incorporated by reference, Section 12(4) was amended on October 26, 1988.

(B) Supplement A to the Guideline on Air Quality Models EPA-450/2-78-027R that became effective February 5, 1988.

(ii) Other material.

(A) Letter of February 9, 1989, from the Kentucky Natural Resources and Environmental Protection Cabinet.

(63) Revisions to Kentucky Regulations 401 KAR 50:010, Definitions and abbreviations and 401 KAR 51:017, Prevention of Significant Deterioration of Air Quality, submitted on December 29, 1986, by the Kentucky Natural Resources and Environmental Protection Cabinet.

(i) Incorporation by reference. (A) Revisions in Kentucky Regulations are as follows. 401 KAR 50:010, Definitions and abbreviations section 1(49), and 401 KAR 51:017 Prevention of Significant Deterioration of Air Quality, Section 8(3). These revisions were state effective December 2, 1986.

(ii) Other material. (A) Letter of February 9, 1988, from the Kentucky Natural Resources and Environmental Protection Cabinet.

(64) Revisions to Jefferson County Regulation 4, Emergency Episode submitted on January 19, 1989 and July 12, 1989, by the Kentucky Natural Resources and Environmental Protection Cabinet.

(i) Incorporation by reference.

(A) Revisions to the following Jefferson County Regulation.

(1) Regulation 4, except Regulation 4.02, effective February 16, 1983.

(2) Regulation 4.02 Episode Criteria effective April 20, 1988.

(ii) Other material.

(A) Letters of January 19, 1989 and July 12, 1989, from the Kentucky Natural Resources and Environmental Protection Cabinet.

(65) Addition of Jefferson County Regulation 2.05, Prevention of Significant Deterioration of Air Quality, submitted on August 2, 1989, by the Kentucky Natural Resources and Environmental Protection Cabinet.

(i) Incorporation by reference.

(A) Jefferson County Regulation 2.05, Prevention of Significant Deterioration of Air Quality. This regulation became effective April 19, 1989.

(ii) Other material.

(A) August 2, 1989, letter from the Natural Resources and Environmental Protection Cabinet.

(66) On July 7, 1988, revisions to Kentucky's State Implementation Plan for PM<sub>10</sub> were submitted by the Kentucky Natural Resources and Environmental Protection Cabinet. The submittal included a committal SIP. EPA is taking no action on 401 KAR 51:052, Review of new sources in or impacting upon non-attainment areas.

(i) Incorporation by reference.

(A) The following revisions to 401 KAR were effective April 14, 1988:

(1) 50:010. Definitions and abbreviations: Section 1. Definitions and section 2. Abbreviations.

(2) 50:015. Documents incorporated by reference: Sections 1, 3, and 11.

(3) 50:035. Permits.

(4) 51:010. Attainment status designations: Section 1(1) and Appendices A and B.

(5) 51:017. Prevention of significant deterioration of air quality: Section 8(4) (e) and (f), section 8(9), section 12(1) (f) and (g), and Appendices A, B, C, and D.

(6) 53:005. General provisions: Section 3(2).

(7) 53:010. Ambient air quality standards: Appendix A.

(8) 55:005. Significant harm criteria.

(9) 55:010. Episode criteria: Headings and Appendix A.

(10) 59:010. New process operations: Section 3(1) (b) and (c).

(11) 61:020. Existing process operations: Section 3(1)(b).

(12) 61:170. Existing blast furnace casthouses: Necessity and function paragraph and section 2(3).

(ii) Other material.

(A) Letter of December 7, 1987, from the Kentucky Natural Resources and Environmental Protection Cabinet.

(B) Letter of July 7, 1988, from the Kentucky Natural Resources and Environmental Protection Cabinet.

(C) Letter of January 23, 1989, from the Kentucky Natural Resources and Environmental Protection Cabinet.

(67) Operating permits for nine presses at the Alcan Foil Products facility located in Louisville were submitted to EPA on July 28, 1989 by the Commonwealth of Kentucky.

(i) Incorporation by reference. (A) Alcan Foil Products operating permit numbers 103-74, 104-74, 105-74, 106-74, 110-74, and 111-74 which became State-effective on February 28, 1990.

(ii) Other material.

(A) Letter of July 28, 1989, from the Commonwealth of Kentucky Natural Resources and Environmental Protection Cabinet.

(68) Revisions to the Commonwealth of Kentucky State Implementation Plan (SIP) concerning Jefferson County Volatile Organic Compounds were submitted on February 12, 1992 by the

Kentucky Natural Resources and Environmental Protection Cabinet.

(i) Incorporation by reference.

(A) Revisions to the following Jefferson County Regulations were effective May 15, 1991.

(1) Regulation 1.02 Definitions: (45), (61), (62), and (91).

(2) Regulation 1.08 Administrative Procedures: Subsections 1.1.1, 1.1.3, 2.2.7, 2.3, and 2.5, Section 3.0 closing paragraph, and Subsections 4.6, 8.1 and 8.4.

(3) Regulation 6.12 Standard of Performance for Existing Asphalt Paving Operations: Sections 1.0 and 5.0.

(4) Regulation 6.13 Standard of Performance for Existing Storage Vessels for Volatile Organic Compounds.

(5) Regulation 6.16 Standard of Performance for Existing Large Appliance Surface Coating Operations.

(6) Regulation 6.18 Standards of Performance for Existing Solvent Metal Cleaning Equipment.

(7) Regulation 6.19 Standard of Performance for Existing Metal Furniture Surface Coating Operations.

(8) Regulation 6.23 Standard of Performance for Existing Dry Cleaning Facilities: Section 1.0 and Subsection 4.3.

(9) Regulation 6.29 Standard of Performance for Existing Graphic Arts Facilities Using Rotogravure and Flexography.

(10) Regulation 6.30 Standard of Performance for Existing Factory Surface Coating Operations of Flat Wood Paneling.

(11) Regulation 6.31 Standard of Performance for Existing Miscellaneous Metal Parts and Products Surface Coating Operations.

(12) Regulation 6.32 Standard of Performance for Leaks from Existing Petroleum Refinery Equipment.

(13) Regulation 6.33 Standard of Performance for Existing Synthesized Pharmaceutical Product Manufacturing Operations.

(14) Regulation 6.34 Standard of Performance for Existing Pneumatic Rubber Tire Manufacturing Plants.

(15) Regulation 6.35 Standard of Performance for Existing Fabric, Vinyl and Paper Surface Coating Operations.

(16) Regulation 7.11 Standard of Performance for New Asphalt Paving Operations: Sections 1.0, 6.0, and 7.0.



(17) Regulation 7.12 Standard of Performance for New Storage Vessels for Volatile Organic Compounds: Section 1.0, Subsections 2.10, 5.3.2, 5.3.3, and 5.4, and Section 8.0.

(18) Regulation 7.16 Standard of Performance for New Large Appliance Surface Coating Operations: Section 1.0, Subsections 2.3, 4.2, 4.4, 5.3 and 5.4, and Sections 6.0 and 7.0.

(19) Regulation 7.18 Standards of Performance for New Solvent Metal Cleaning Equipment: Section 1.0 and Subsection 2.4.

(20) Regulation 7.19 Standard of Performance for New Metal Furniture Surface Coating Operations: Section 1.0, Subsections 2.3, 4.3, 4.5.1, 5.2, and Sections 6.0 and 7.0.

(21) Regulation 7.23 Standard of Performance for New Perchloroethylene Dry Cleaning Facilities: Section 1.0 and Subsection 4.5.

(22) Regulation 7.52 Standard of Performance for New Fabric, Vinyl, and Paper Surface Coating Operations: Section 1.0, Subsections 2.3, 2.12, 4.1, 4.3, 4.5.1, and 5.3, and Section 6.0.

(23) Regulation 7.56 Standard of Performance for Leaks from New Petroleum Refinery Equipment: Subsection 2.4 and 2.6, and Section 7.0.

(24) Regulation 7.57 Standard of Performance for New Graphic Arts Facilities Using Rotogravure and Flexography: Section 1.0, Subsections 2.8, 4.2, 4.4.1, and 5.2, and Sections 6.0, 7.0, and 8.0.

(25) Regulation 7.58 Standard of Performance for New Factory Surface Coating Operations of Flat Wood Paneling: Section 1.0, Subsection 2.5, 4.4.1, and 5.4, and Section 6.0.

(26) Regulation 7.59 Standard of Performance for New Miscellaneous Metal Parts and Products Surface Coating Operations: Section 1.0, Subsections 2.2, 2.4, 2.5, 2.8.7, 4.3, 4.5.1, 5.1.1, 5.1.2, 5.1.4, 5.2, and 5.4, and Sections 6.0 and 7.0.

(27) Regulation 7.60 Standard of Performance for New Synthesized Pharmaceutical Product Manufacturing Operations: Section 1.0 and Section 2.0.

(28) Regulation 7.61 Standard of Performance for New Pneumatic Rubber Tire Manufacturing Plants: Section 1.0, Subsections 2.2, 2.3, 2.4, 2.5, 2.6, and 2.7, and Section 3.0.

(ii) Other material.

(A) Letter dated February 12, 1992, from the Commonwealth of Kentucky Natural Resources and Environmental Protection Cabinet.

(69) Revisions to the Commonwealth of Kentucky State Implementation Plan (SIP) concerning the Commonwealth and Jefferson County, Kentucky for Volatile Organic Compounds were submitted on October 20, 1992, February 17, 1993, and March 4, 1993, by the Kentucky Natural Resources and Environmental Protection Cabinet.

(i) Incorporation by reference.

(A) Revisions to the following Jefferson County Regulations were effective November 18, 1992.

(1) Regulation 1.05. Compliance with Emission Standards and Maintenance Requirements.

(2) Regulation 1.06. Source Self-Monitoring and Reporting.

(3) Regulation 6.17. Standard of Performance for Existing Automobile and Truck Surface Coating Operations.

(4) Regulation 6.36. Standard of Performance for Existing Metal Parts and Products Surface Coating Operations at Heavy Duty Truck Manufacturing Plants.

(B) Revisions to the following Commonwealth of Kentucky Regulations were effective June 24, 1992.

(1) Regulation 401 KAR 50:010. Definitions and abbreviations of terms used in Title 401, Chapters 50, 51, 53, 55, 57, 59, 61, 63, and 65.

(2) Regulation 401 KAR 50:012. General application.

(3) Regulation 401 KAR 50:047. Test procedures for capture efficiency.

(4) Regulation 401 KAR 51:001. Definitions and abbreviations of terms used in Title 401, Chapter 51.

(5) Regulation 401 KAR 59:001. Definitions and abbreviations of terms used in Title 401, Chapter 59.

(6) Regulation 401 KAR 59:185. New solvent metal cleaning equipment.

(7) Regulation 401 KAR 59:190. New insulation of magnet wire operations.

(8) Regulation 401 KAR 59:210. New fabric, vinyl and paper surface coating operations.

(9) Regulation 401 KAR 59:212. New graphic arts facilities using roto-gravure and flexography.

(10) Regulation 401 KAR 59:214. New factory surface coating operations of flat wood paneling.

(11) Regulation 401 KAR 59:225. New miscellaneous metal parts and products surface coating operations.

(12) Regulation 401 KAR 59:230. New synthesized pharmaceutical product manufacturing operations.

(13) Regulation 401 KAR 59:240. New perchloroethylene dry cleaning systems.

(14) Regulation 401 KAR 61:001. Definitions and abbreviations of terms used in Title 401, Chapter 61.

(15) Regulation 401 KAR 61:050. Existing storage vessels for petroleum liquids.

(16) Regulation 401 KAR 61:090. Existing automobile and light-duty truck surface coating operations.

(17) Regulation 401 KAR 61:095. Existing solvent metal cleaning equipment.

(18) Regulation 401 KAR 61:100. Existing insulation of magnet wire operations.

(19) Regulation 401 KAR 61:105. Existing metal furniture surface coating operations.

(20) Regulation 401 KAR 61:110. Existing large appliance surface coating operations.

(21) Regulation 401 KAR 61:120. Existing fabric, vinyl and paper surface coating operations.

(22) Regulation 401 KAR 61:124. Existing factory surface coating operations of flat wood paneling.

(23) Regulation 401 KAR 61:125. Existing can surface coating operations.

(24) Regulation 401 KAR 61:130. Existing coil surface coating operations.

(25) Regulation 401 KAR 61:132. Existing miscellaneous metal parts and products surface coating operations.

(26) Regulation 401 KAR 61:137. Leaks from existing petroleum refinery equipment.

(27) Regulation 401 KAR 61:150. Existing synthesized pharmaceutical product manufacturing operations.

(28) Regulation 401 KAR 61:155. Existing pneumatic rubber tire manufacturing plants.

(29) Regulation 401 KAR 61:160. Existing perchloroethylene dry cleaning systems.

(30) Regulation 401 KAR 61:175. Leaks from existing synthetic organic chem-

ical and polymer manufacturing equipment.

(31) Regulation 401 KAR 63:001. Definitions and abbreviations of terms used in Title 401, Chapter 63.

(32) Regulation 401 KAR 63:025. Asphalt paving operations.

(C) Kentucky Regulation 401 KAR 59:315, Specific New Sources, effective June 24, 1992.

(D) Revisions to following Kentucky Regulations were effective February 8, 1993.

(1) Regulation 401 KAR 51:010. Attainment Status Designations.

(2) Regulation 401 KAR 59:175. New service stations.

(3) Regulation 401 KAR 61:085. Existing service stations.

(4) Regulation 401 KAR 63:031. Leaks from Gasoline Tanks.

(ii) Other material. None.

(70) The maintenance plan for the Owensboro and Edmonson County Areas which include Daviess, a portion of Hancock, and Edmonson Counties submitted by the Commonwealth of Kentucky Natural Resources and Environmental Protection Cabinet on November 13, 1992, November 24, 1992, March 10, 1993, July 16, 1993, March 3, 1994, and August 29, 1994, as part of the Kentucky SIP. The 1990 Baseline Emission Inventory for the Owensboro and Edmonson County areas which include Daviess, a portion of Hancock, and Edmonson Counties.

(i) Incorporation by reference.

(A) Commonwealth of Kentucky Attainment Demonstration and Ten Year Maintenance Plan for All Areas Designated Marginal Nonattainment for Ozone. The effective date is December 28, 1992.

(B) Attachment A—Demonstration of Permanent and Enforceable Reductions and Calculations of Interim Year Emission Projections. The effective date is August 26, 1994.

(C) Attachment B—VOC Emissions Summary for Kentucky's Marginal Ozone Nonattainment Areas. The effective date is August 26, 1994.

(D) Attachment C—CO Emissions Summary for Kentucky's Marginal Ozone Nonattainment Areas. The effective date is August 26, 1994.

(E) Attachment D—NO<sub>x</sub> Emissions Summary for Kentucky's Marginal

Ozone Nonattainment Areas. The effective date is August 26, 1994.

(F) Table 6-12 Biogenic Emissions Hancock County, Kentucky. The effective date is December 28, 1992.

(G) Table 6-11 Biogenic Emissions Daviess County, Kentucky. The effective date is December 28, 1992.

(H) Table 6-1. Biogenic Emissions Edmonson County, Kentucky. The effective date is December 28, 1992.

(ii) Other material.

(A) February 28, 1994, letter from John E. Hornback, Director, Division for Air Quality to Mr. Doug Neeley, Chief, Air Programs Branch.

(B) October 4, 1994, letter from Phillip J. Shepherd, Secretary, Natural Resources and Environmental Protection Cabinet to John H. Hankinson, Regional Administrator, USEPA Region IV.

(71) The Commonwealth of Kentucky, Natural Resources and Environmental Protection Cabinet submitted revisions to the Kentucky State Implementation Plan on January 15, 1993. These revisions address the requirements of section 507 of title V of the CAA and establish the Small Business Stationary Source Technical and Environmental Assistance Program (PROGRAM).

(i) Incorporation by reference.

(A) Revision to the Kentucky State Implementation Plan to incorporate document titled "Kentucky Small Business Stationary Source Technical Environmental Assistance Program" which was approved by the Kentucky Natural Resources and Environmental Protection Cabinet effective on July 15, 1993.

(ii) Additional Material. None.

(72) Modifications to the existing basic I/M program in Jefferson County to implement an anti-tampering check, pressure testing of the evaporative control system, and testing of commuter vehicles submitted by the Commonwealth of Kentucky on November 12, 1993.

(i) Incorporation by reference. Regulation 8.01 and 8.02, adopted on February 17, 1993, and Regulation 8.03 adopted on February 17, 1993.

(ii) Other material. None.

(73) The maintenance plan for the Paducah area which include Livingston and Marshall Counties submitted by

the Commonwealth of Kentucky Natural Resources and Environmental Protection Cabinet on November 13, 1992, November 24, 1992, March 10, 1993, July 16, 1993, March 3, 1994, and August 29, 1994, as part of the Kentucky SIP. The 1990 Baseline Emission Inventory for the Paducah area which include Livingston and Marshall Counties.

(i) Incorporation by reference.

(A) Commonwealth of Kentucky Attainment Demonstration and Ten Year Maintenance Plan for all areas designated Marginal Nonattainment for Ozone. The effective date is January 15, 1993.

(B) Table 6-13 Biogenic Emissions, Livingston County, Kentucky. The effective date is January 15, 1993.

(C) Table 6-14 Biogenic Emissions, Marshall County, Kentucky. The effective date is January 15, 1993.

(ii) Other material.

(A) January 15, 1993, letter from Phillip J. Shepherd, Secretary, Natural Resources and Environmental Protection Cabinet to Patrick Tobin, Acting Regional Administrator, U.S. EPA Region IV.

(B) February 28, 1994, letter from John E. Hornback, Director, Division for Air Quality to Mr. Doug Neeley, Chief, Air Programs Branch.

(C) October 4, 1994, letter from Phillip J. Shepherd, Secretary, Natural Resources and Environmental Protection Cabinet to John H. Hankinson, Regional Administrator, U.S. EPA Region IV.

(74)-(75) [Reserved]

(76) The maintenance plan and for the Lexington area which include Fayette and Scott Counties submitted by the Commonwealth of Kentucky Natural Resources and Environmental Protection Cabinet on November 13, 1992, November 24, 1992, March 10, 1993, July 16, 1993, March 3, 1994, and August 29, 1994, September 28, 1994 and June 14, 1995, as part of the Kentucky SIP. The 1990 Baseline Emission Inventory for the Lexington area which include Fayette and Scott Counties.

(i) Incorporation by reference.

(A) Commonwealth of Kentucky Attainment Demonstration and Ten Year Maintenance Plan for all areas designated Marginal Nonattainment for

Ozone. The effective date is January 15, 1993.

(B) Table 6-6 Biogenic Emissions Fayette County, Kentucky. The effective date is January 15, 1993.

(C) Table 6-7 Biogenic Emissions, Scott, Kentucky. The effective date is January 15, 1993.

(ii) Other material.

(A) February 28, 1994, letter from John E. Hornback, Director, Division for Air Quality to Mr. Doug Neeley, Chief, Air Programs Branch.

(B) October 4, 1994, letter from Phillip J. Shepherd, Secretary, Natural Resources and Environmental Protection Cabinet to John H. Hankinson, Regional Administrator, U.S. EPA Region 4.

(C) January 15, 1993, letter from Phillip J. Shepherd, Secretary, Natural Resources and Environmental Protection Cabinet to Patrick M. Tobin, Acting Regional Administrator, U.S. EPA Region 4.

(77) Revisions to the Commonwealth of Kentucky State Implementation Plan (SIP) concerning emission statements were submitted on December 29, 1994, by the Kentucky Natural Resources and Environmental Protection Cabinet.

(i) Incorporation by reference.

(A) Regulation 401 KAR 50:035 Permits. Section 1, Section 2(1) and Section 10. Regulation became effective September 28, 1994.

(ii) None.

(78) Operating Permit requiring VOC RACT for Calgon Corporation in the Kentucky portion of the Ashland/Huntington ozone nonattainment area, submitted November 11, 1994.

(i) Incorporation by reference. Natural Resources and Environmental Protection Cabinet; Kentucky Department for Environmental Protection; Division for Air Quality; Permit 0-94-020; Calgon Carbon Corporation, effective on November 17, 1994.

(ii) Other material. Letter of November 23, 1994, from the Commonwealth of Kentucky Natural Resources and Environmental Protection Cabinet.

(79) Revisions to the Commonwealth of Kentucky State Implementation Plan (SIP) regarding the definition of volatile organic compound (VOC) submitted on January 27, 1995.

(i) Incorporation by reference.

(A) 401 KAR 50:010. Definitions and abbreviations of terms used in 401 KAR Chapters 50, 51, 53, 55, 57, 59, 61, 63, and 65, effective April 6, 1995.

(B) 401 KAR 51:001. Definitions and abbreviations of terms used in 401 KAR Chapter 51, effective April 6, 1995.

(C) 401 KAR 59:001. Definitions and abbreviations of terms used in 401 KAR Chapter 59, effective April 6, 1995.

(D) 401 KAR 61:001. Definitions and abbreviations of terms used in 401 KAR Chapter 61, effective April 6, 1995.

(E) 401 KAR 63:001. Definitions and abbreviations of terms used in 401 KAR Chapter 63, effective April 6, 1995.

(F) 401 KAR 65:001. Definitions and abbreviations of terms used in 401 KAR Chapter 65, effective April 6, 1995.

(ii) Other material.

(A) May 4, 1995, letter from Phillip J. Shepherd, Secretary, Natural Resources and Environmental Protection Cabinet to John H. Hankinson, Regional Administrator, U.S. EPA, Region IV.

(80) The maintenance plan for the Ashland-Huntington area which includes Boyd and a portion of Greenup Counties was submitted by the Commonwealth of Kentucky Natural Resources and Environmental Protection Cabinet on November 13 and May 24, 1995, as part of the Kentucky SIP. The 1990 Baseline Emission Inventory for the Ashland-Huntington area which includes Boyd and a portion of Greenup Counties which was submitted on November 13, 1992.

(i) Incorporation by reference.

(A) Kentucky Natural Resources and Environmental Protection Cabinet Request to Redesignate the Huntington/Ashland Moderate Ozone Nonattainment Area, Maintenance Plan, effective May 24, 1995.

(B) Appendix F Kentucky Projected Emissions Summary: VOC, CO, and NO<sub>x</sub>, effective May 24, 1995.

(C) Table 6-1 Summary of Biogenic Emissions Huntington-Ashland MSA, effective May 24, 1995.

(ii) Other material.

(A) May 24, 1995, letter from Phillip J. Shepherd, Secretary, Natural Resources and Environmental Protection

Cabinet to John H. Hankinson, Regional Administrator, USEPA Region 4.

(81) Revisions to air permit rules submitted by the Kentucky Natural Resources and Environmental Protection Cabinet on December 29, 1994.

(i) Incorporation by reference. Revised Rule 401 KAR 50:035, "Permits", Sections 1 through 7, effective September 28, 1994.

(ii) Other material. None.

(82) Revision to the Kentucky State Implementation Plan; Regulation 6.40 of the Air Pollution Control District of Jefferson County which was submitted to EPA on March 4, 1993.

(i) Incorporation by reference.

Regulation 6.40 Standards of Performance for Gasoline Transfer to Motor Vehicles (Stage II Vapor Recovery and Control) which were adopted on December 16, 1992.

(ii) Other material. None.

(83) Revisions to the Kentucky State Implementation Plan submitted by the Natural Resources and Environmental Protection Cabinet on June 15, 1983.

(i) Incorporation by reference.

401 KAR 50:025 Classification of Counties, and 401 KAR 61:015 Existing Indirect Heat Exchangers, effective June 1, 1983.

(ii) Additional material. None.

(84) Revisions to the Kentucky State Implementation Plan submitted by the Natural Resources and Environmental Protection Cabinet on December 29, 1994. The regulations being revised are 401 KAR 59:101 New Bulk Gasoline Plants and 401 KAR 61:056 Existing Bulk Gasoline Plants.

(i) Incorporation by reference. Division for Air Quality regulations 401 KAR 59:101 New bulk gasoline plants, and 401 KAR 61:056 Existing bulk gasoline plants, effective September 28, 1994.

(ii) Additional material. None.

(85) The Commonwealth of Kentucky submitted revisions to the Kentucky SIP on June 19, 1996. These revisions involve changes to 401 KAR Chapters 50, 51, 59, 61, 63, and 65.

(i) Incorporation by reference. 401 KAR Chapters 50:010(62), 51:001(62), 59:001(63), 61:001(63), 63:001(62), and 65:001(31) of the Kentucky regulations effective on June 6, 1996.

(ii) Other material. None.

(86) Revision to the Kentucky State Implementation Plan submitted by the Natural Resources and Environmental Protection Cabinet on May 20, 1997. The revision is for the Reynolds Metals Company.

(i) Incorporation by reference. Air Pollution Control District of Jefferson County Permit numbers 103-74, 104-74, 105-74, 106-74, 110-74, and 111-74, effective April 16, 1997.

(ii) Other material. None.

(87) Revisions to the Kentucky State Implementation Plan submitted by the Natural Resources and Environmental Protection Cabinet on March 21, 1997. The regulation being revised is 401 KAR 51:017 Prevention of significant deterioration of air quality.

(i) Incorporation by reference. Division of Air Quality regulations 401 KAR 51:017 Prevention of significant deterioration of air quality effective March 12, 1997.

(ii) Other material. None.

(88) Modifications to the existing basic I/M program in Jefferson County to implement loaded mode testing of vehicles submitted by the Commonwealth of Kentucky on November 10, 1997.

(i) Incorporation by reference.

Regulation 8.01 and 8.02, adopted on October 15, 1997.

(ii) Other material. None.

(89) Revisions to the Kentucky State Implementation Plan submitted by the Natural Resources and Environmental Protection Cabinet on December 19, 1997. The regulations being revised are 401 KAR 50:012 General application and 401 KAR 51:010 Attainment status designations.

(i) Incorporation by reference. Division of Air Quality regulations 401 KAR 50:012 General application and 401 KAR 51:010 Attainment status designations are effective November 12, 1997.

(ii) Other material. None.

(90) [Reserved]

(91) The maintenance plan for Edmonson County and Owensboro ozone area submitted by the Commonwealth of Kentucky through the Natural Resources and Environmental Protection Cabinet on April 16, 1998, as part of the Kentucky SIP.

(i) Incorporation by reference.

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Mobile Emissions Budgets for Owensboro Area and Edmonson County Marginal Ozone Maintenance Areas: Introduction page and Tables 1 through 8 effective April 14, 1998.

(ii) Other material. None.

(92) Revisions to the Kentucky State Implementation Plan submitted by the Natural Resources and Environmental Protection Cabinet on February 3, 1998. The regulations being revised are 401 KAR 59:174 Stage II control at gasoline dispensing facilities, 401 KAR 63:005 Open burning, and 401 KAR 65:010 Vehicle emission control programs rules. Adoption of the Kentucky 15 Percent Plan, the I/M program and the 1990 baseline emissions inventory.

(i) Incorporation by reference.

(A) Division of Air Quality regulations 401 KAR 59:174 Stage II control at gasoline dispensing facilities, 401 KAR 63:005 Open burning, and 401 KAR 65:010 Vehicle emission control programs rules are effective January 12, 1998.

(B) Tables showing the Cincinnati 1990 Baseline Emissions Inventory, 1990 Adjusted Baseline Inventory, and 1990 Rate of Progress Inventory, Summary of Biogenic Emissions and Anticipated Emissions after Plan Implementation which are effective September 11, 1998.

(ii) Other material. None.

(93) Modifications to the existing basic I/M program in Jefferson County to implement a check of a vehicle's On-Board Diagnostic system, for vehicles of model 1996 and newer that are so equipped, submitted by the Commonwealth of Kentucky on August 27, 1998.

(i) Incorporation by reference. Regulation 8.02, adopted on July 15, 1998.

(ii) Other material. None.

[37 FR 10868, Mar. 31, 1972. Redesignated at 64 FR 28750, May 27, 1999]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.939, see the List of CFR Sections Affected in the Finding Aids section of this volume.